

By: Gutierrez

H.B. No. 3325

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for barber schools and private beauty culture schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1601.353, Occupations Code, is amended to read as follows:

Sec. 1601.353. REQUIRED FACILITIES AND EQUIPMENT. The department may approve an application for a permit for a barber school if the school:

(1) has adequate space, equipment, and instructional material, as determined by the commission, to provide quality classroom training ~~[is located in:~~

~~[(A) a municipality with a population of more than 50,000 that has a building of permanent construction containing at least 2,000 square feet of floor space, including classroom and practical areas, covered in a hard-surface floor-covering of tile or other suitable material; or~~

~~[(B) a municipality with a population of 50,000 or less or an unincorporated area of a county that has a building of permanent construction containing at least 1,000 square feet of floor space, including classroom and practical areas, covered in a hard-surface floor-covering of tile or other suitable material];~~

and

(2) ~~[has the following equipment:~~

1                   ~~[(A) at least 10 student workstations that~~  
2 ~~include a chair that reclines, a back bar, and a wall mirror;~~  
3                   ~~[(B) a sink behind every two workstations;~~  
4                   ~~[(C) adequate lighting for each room;~~  
5                   ~~[(D) at least 10 classroom chairs and other~~  
6 ~~materials necessary to teach the required subjects; and~~  
7                   ~~[(E) access to permanent restrooms and adequate~~  
8 ~~drinking fountain facilities; and~~

9                   ~~[(3)]~~ meets any other requirement set by the  
10 commission.

11           SECTION 2. Sections 1602.303(b) and (c), Occupations Code,  
12 are amended to read as follows:

13           (b) An application for a private beauty culture school  
14 license must be accompanied by the required license fee and  
15 inspection fee and:

16                   (1) be on a form prescribed by the department;

17                   (2) be verified by the applicant; and

18                   (3) contain a statement that the building has adequate  
19 space, equipment, and instructional material, as determined by the  
20 commission, to provide quality classroom training[+]

21                   ~~[(A) is of permanent construction and is divided~~  
22 ~~into at least two separate areas:~~

23                                   ~~[(i) one area for instruction in theory;~~

24 ~~and~~

25                                   ~~[(ii) one area for clinic work;~~

26                   ~~[(B) contains a minimum of:~~

27                                   ~~[(i) 2,800 square feet of floor space if the~~

1 ~~building is located in a county with a population of more than~~  
2 ~~100,000; or~~

3 ~~[(ii) 1,800 square feet of floor space if~~  
4 ~~the building is located in a county with a population of 100,000 or~~  
5 ~~less;~~

6 ~~[(C) has access to permanent restrooms and~~  
7 ~~adequate drinking fountain facilities; and~~

8 ~~[(D) contains, or will contain before classes~~  
9 ~~begin, the equipment established by commission rule as sufficient~~  
10 ~~to properly instruct a minimum of 10 students].~~

11 (c) The applicant is entitled to a private beauty culture  
12 school license if:

13 (1) the department determines that the applicant is  
14 financially sound and capable of fulfilling the school's  
15 commitments for training;

16 (2) the applicant's facilities pass an inspection  
17 conducted by the department under Section 1603.103; ~~and~~

18 (3) the applicant has not committed an act that  
19 constitutes a ground for denial of a license; and

20 (4) the applicant meets any other requirement set by  
21 the commission.

22 SECTION 3. As soon as practicable after the effective date  
23 of this Act, the Texas Commission of Licensing and Regulation shall  
24 adopt rules to implement Sections 1601.353 and 1602.303,  
25 Occupations Code, as amended by this Act.

26 SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2015.